IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 34497 of 2007(F)

PETITIONER:

ELSY, W/O.GEORGE,
PARAKKA HOUSE, KURUPPAM, MELOOR P.O.,
CHALAKUDY.

BY ADV. SRI.M.SHAJU PURUSHOTHAMAN
SRI.K.S.RAJESH

RESPONDENTS:

1. THE DEPUTY THAHSILDAR (RR)
TALUK OFFICE,
MUKUNDAPURAM,IRINJALAKUDA.

2. THE VILLAGE OFFICER
VILLAGE OFFICE, MELOOR,
MUKUNDAPURAM TALUK.

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C).No.34497 of 2007 F

Dated this the 22nd day of November, 2007.

JUDGMENT

Petitioner is aggrieved by the fact that proceedings under the Revenue Recovery Act are being prosecuted against her and her properties, apparently, for realisation of the amounts due from her son. Petitioner contends that the property covered by Ext.P1 and the movable assets, which are kept in the house constructed therein, belongs to her. Therefore, Revenue Recovery proceedings cannot be maintained against the said property.

2. In my view, petitioner's contention should be raised by way of a claim petition under the Revenue Recovery Act. Petitioner may do so within one month from today. To enable the petitioner to avail of such remedy under the Revenue Recovery Act, I direct the

respondents to keep in abeyance the enforcement of Exts.P2 and P2(a) for a period of one month from today.

Writ petition is disposed of as above.

Sd/-
(V.GIRI)
JUDGE

sk/

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P.S. To Judge